REMARKS

Claims 8 and 15-22 are pending and under consideration. Claims 8, 15, 18, and 21 are amended herein. Claim 22 is added herein. Support for the amendments to the claims may be found in the claims as originally filed. Support for new claim 22 may be found in Fig. 4 of the specification. Reconsideration is requested based on the foregoing amendment and the following remarks.

Claim Rejections - 35 U.S.C. § 103:

Claims 8 and 15-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,337,712 to Shiota et al. (hereinafter "Shiota") in view of U.S. Patent No. 6,429,923 to Ueda et al. (hereinafter "Ueda") and U.S. Patent No. 6,795,715 to Kubo et al. (hereinafter "Kubo"). The rejection is traversed to the extent it might apply to the claims as amended. Reconsideration is earnestly solicited.

The fourth clause of claim 8 recites:

Wherein the interface means is a single means.

The Office Action acknowledges graciously in lines 1, 2, and 3 at page 3 that:

> Shiota et al do not specifically show that the interface is a single means which
> performs the identifying, selecting, and reading steps all at the single means, but
> do mention efficient processing of photographic image data by a user.

The Office Action seeks to compensate for this deficiency of Shiota by combining Shiota with Ueda, saying, in lines 8-11 at page 3:

> It would have been obvious to a person of ordinary skill in the art to have the
> identifying, selecting, and reading steps in Shiota et al performed by a single
> means interface, because it would allow efficient processing of photographic
> image data by a user.

Shiota, on the contrary, *wants* to have a plurality of picture image data storing devices, i.e. interfaces. In particular, as described at column 5, lines 11-14:

> It is preferable to have a plurality of picture image data storing devices so that all
> kinds of digital cameras, regardless of their types or manufacturers, can be dealt
> with by this system.

Shiota, furthermore, provides several kinds of interface cables 3 and docking stations 4 according to the standards of digital cameras in *order* to accommodate all of the different types of digital cameras. In particular, as described at column 5, lines 23-28:

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In this case, it is also preferable to have several kinds of interface cables 3 and docking stations 4 according to the standards of digital cameras, since the specifications of the interface cable 3 and the docking station 4 vary depending on the types of digital cameras.

If, on the other hand, Shiota were modified as proposed in the Office Action, it would no longer have such a plurality of interfaces, nor would it be able to deal with all kinds of digital cameras, regardless of their types or manufacturers. Replacing the plurality of picture image data storing devices of Shiota with a single interface, as proposed in the final Office Action, would thus render Shiota unsuitable for its intended purpose, as well as change the principle of operation of Shiota, both of which are prohibited by M.P.E.P. § 2143.01. As provided therein:

> If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984).

Since modifying Shiota by replacing the plurality of picture image data storing devices with a single interface, as proposed by the final Office Action, would render Shiota unsatisfactory for its intended purpose of dealing with all kinds of digital cameras, regardless of their types or manufacturers, then there is no suggestion or motivation to make the proposed modification, *In re Gordon*.

As also provided in M.P.E.P. § 2143.01:

> If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959).

Since modifying Shiota as proposed by the final Office Action would change the principle of operation of Shiota by replacing the plurality of picture image data storing devices with a single interface, the teachings of the references are not sufficient to render the claims prima facie obvious, *In re Ratti*.

The fourth clause of claim 8 recites further:

> Identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera.

Neither Shiota, Ueda, nor Kubo "identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera," as recited in claim 8. The Office Action asserts in lines 6, 7, and 8 of section 4, at page 2 that:

> Wherein the interface means identifies a type of digital camera by reading pre-

stored information in a memory of the digital camera (column 3 lines 40-45, column 5 lines 10-39).

This is submitted to be incorrect. Shiota never "identifies a type of digital camera by reading pre-stored information in a memory of the digital camera," contrary to the assertion in the Office Action. In Shiota, rather, if an identifier like the camera code or the processor code of the digital camera is to be used to identify the digital camera used for recording the image data, the code must be *input with a keyboard.* In particular, as described at column 3, lines 46, 47, and 48 of Shiota:

> A variety of information used to determine such a file name may be input with a keyboard when the image data are transferred.

Nowhere does Shiota even *think* to "identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera," as recited in claim 8.

Furthermore, the variety of information that may be input with the keyboard, to which Shiota refers, is described directly above, at column 3, lines 42-46:

> More specifically, means for determining a file name using the camera code to identify the digital camera used for recording the image data, the possessor code representing the possessor of the digital camera, the date code representing the date of recording, or the like, is possible.

Thus, in Shiota, if the camera code is to be used for determining a file name, it must be entered with a keyboard, rather than "by reading information pre-stored in at least one of said memory of the digital camera and said digital camera," as recited in claim 8.

There is actually no disclosure anywhere in Shiota that the camera code is even *available* in any memory associated with the digital camera. Rather, it is probably written on the outside of the camera somewhere, on a specification tag or the like, and the user has to find it and read it to type it in. The only identifying information Shiota *does* read from built-in memories or memory cards, rather, is the date of recording or the like. There is no way a *camera* could be identified using only a date on which an image *taken* by that camera was recorded. In particular, as described at column 3, lines 59-62:

> Some digital cameras add the date of recording or the like to picture image data as recording property information, and store the picture image data together with the recording property information in built-in memories or memory cards. In this case, a file name may be determined automatically by reading such recording property information, without requesting a user to input the information.

Recording property information, such as a date of recording or the like, will not be able to identify

the type of digital camera that was used to record the picture image data. Since recording property information, even if read automatically, will not identify the type of digital camera, Shiota does not "identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera," as recited in claim 8.

Shiota, in fact, has no real *interest* in what type of digital camera might have been used, beyond the need to create unique file names. Shiota is really after a unique name for the file in which the images will be stored, not the type of digital camera. To this purpose, Shiota may require the user to type the camera or processor code in at a keyboard so that it may be used to identify the digital camera used for recording the image data. This is to be contrasted with the claimed invention, which recites "interface means is a single means to identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera."

Neither Ueda nor Kubo "identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera" as recited in claim 8, either, and thus cannot make up for the deficiencies of Shiota with respect to the claimed invention. As Ueda, rather, describes at column 1, lines 65-67:

> The first objective of the present invention is to make the procedure to input or record information regarding the orderer such as the name of the orderer more simple.

Thus, Ueda is interested in recording information regarding the orderer such as the name of the orderer, not what type of digital camera might have been used to take the pictures, and hence has no need to "identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera" as recited in claim 8.

Kubo, for its part, mentions no identification of a digital camera at all. Since neither Shiota, Ueda, nor Kubo "identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera" as recited in claim 8 separately, their combination cannot, either. Thus, even if Shiota, Ueda, and Kubo were combined, as proposed in the Office Action, the claimed invention would not result.

Finally, the purpose of Ueda is to minimize the amount of customer information provided to the picture processor to protect the customer from, for example, stalkers, as described at column 2, lines 59-67, continuing at column 3, line 1:

> With the invention described in Item (1), only by transmitting the digital image data used as a document, the order contents information regarding order contents of the photographic processing for the digital image data and the type

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and the card number of the credit card owned by the orderer, the photographic
processing can be ordered without going to a photo shop or a photofinisher.
Further, it is not necessary to write a name with katakana character and there is
no fear that the name and the contact place are surreptitiously looked by a
stalker.

Ueda thus teaches away from providing any more information than simply the digital image data
used as a document, the order contents information regarding order contents of the
photographic processing for the digital image data, and the type and the card number of the
credit card owned by the orderer, since information like the type of digital camera used to take
the pictures could be used by a stalker to find the orderer.

Persons of ordinary skill in the art would thus have been deterred from modifying either
Shiota or Ueda to acquire information pertaining to the type of digital camera used to take the
pictures, since to do so would have negated the express purpose of Ueda of protecting the
orderer from stalkers.

The fourth clause of claim 8 recites further:

Select a reading method software corresponding to said identified type of said
digital camera from a plural reading method software that are stored.

Neither Shiota, Ueda, nor Kubo "select a reading method software corresponding to said
identified type of said digital camera from a plural reading method software that are stored,"
as recited in claim 8. The Office Action asserts in lines 8 and 9 of section 4, at page 2 that
Shiota:

Selects a reading method corresponding to the identified type of digital camera.

This is also submitted to be incorrect. In Shiota, rather, a plurality of picture image data storing
devices are provided so that *all* kinds of digital cameras, *regardless* of their types or
manufacturers, can be dealt with by this system. In particular, as described at column 5, lines
11-14:

It is preferable to have a plurality of picture image data storing devices so that all
kinds of digital cameras, regardless of their types or manufacturers, can be dealt
with by this system.

Since Shiota wants to be able to deal with all kinds of digital cameras, regardless of their types
or manufacturers, Shiota is not going to be able to "select a reading method software
corresponding to said identified type of said digital camera from a plural reading method
software that are stored," as recited in claim 8. Shiota, rather, is not going to identify the type of
camera at all. If the user wants to base filenames of pictures on the type of camera used to take

them, he has to type the camera identifier in himself.

Shiota, furthermore, provides several kinds of interface cables 3 and docking stations 4 according to the standards of digital cameras, to accommodate all of the different types of digital cameras. In particular, as described at column 5, lines 23-28:

> In this case, it is also preferable to have several kinds of interface cables 3 and docking stations 4 according to the standards of digital cameras, since the specifications of the interface cable 3 and the docking station 4 vary depending on the types of digital cameras.

Since, in Shiota, several kinds of interface cables 3 and docking stations 4 according to the standards of digital cameras are provided so that all kinds of digital cameras, regardless of their types or manufacturers, can be dealt with by this system, Shiota is not going to be able to "select a reading method software corresponding to said identified type of said digital camera from a plural reading method software that are stored," as recited in claim 8.

Claim 8, in any case, has been amended further to clarify that the reading method software "is for reading the photographed image data recorded in said memory of said digital camera to a memory of said controller means." Shiota neither teaches, discloses, nor suggests reading method software that "is for reading the photographed image data recorded in said memory of said digital camera to a memory of said controller means."

Neither Ueda nor Kubo "select a reading method software corresponding to said identified type of said digital camera from a plural reading method software that are stored," as recited in claim 8, either, and thus cannot make up for the deficiencies of Shiota with respect to the claimed invention. Since neither Shiota, Ueda, nor Kubo "select a reading method software corresponding to said identified type of said digital camera from a plural reading method software that are stored," separately, their combination cannot, either. Thus, even if Shiota, Ueda, and Kubo were combined, as proposed in the Office Action, the claimed invention would not result.

Finally, the fourth clause of claim 8 recites:

> Read said photographed image data recorded in said memory of said digital camera using said selected reading method software corresponding to said identified type of said digital camera.

Neither Shiota, Ueda, nor Kubo "read said photographed image data recorded in said memory of said digital camera using said selected reading method software corresponding to said identified type of said digital camera," as recited in claim 8. Claim 8 is submitted to be allowable. Withdrawal of the rejection of claim 8 is earnestly solicited.

Claim 15:

Claim 15 recites:

Selecting, using said single interface unit, a reading method corresponding to
the digital camera from the read ID data.

Neither Shiota, Ueda, nor Kubo "identify a type of said digital camera by reading information pre-
stored in at least one of said memory of the digital camera and said digital camera," as
discussed above with respect to the rejection of claim 8. Since neither Shiota, Ueda, nor Kubo
"identify a type of said digital camera by reading information pre-stored in at least one of said
memory of the digital camera and said digital camera," they cannot select, "using said single
interface unit, a reading method corresponding to the digital camera from the read ID data," as
recited in claim 15, either.

Claim 15 recites further:

Reading a photographed image data recorded in a memory of the digital camera
using the selected reading method software corresponding to the digital camera
from a plural reading method software that are stored.

Neither Shiota, Ueda, nor Kubo teach, disclose, or suggest, "reading a photographed image
data recorded in a memory of the digital camera using the selected reading method software
corresponding to the digital camera from a plural reading method software that are stored," as
discussed above with respect to the rejection of claim 8.

Claim 15 has also been amended further to clarify that the reading method software "is
for reading the photographed image data recorded in said memory of said digital camera to
a memory of a controller." Shiota neither teaches, discloses, nor suggests reading method
software that "is for reading the photographed image data recorded in said memory of said
digital camera to a memory of a controller," as recited in claim 15. Claim 15 is submitted to
be allowable, for at least those reasons discussed above with respect to claim 8. Withdrawal of
the rejection of claim 15 is earnestly solicited.

Claims 16 and 17:

Claim 16 recites:

Determining whether a transfer service is to be charged for the preserving using
the ID data read, wherein the transfer service is charged when the ID data read
does not match an ID corresponding to the digital camera.

Neither Shiota, Ueda, nor Kubo "identify a type of said digital camera by reading information pre-

stored in at least one of said memory of the digital camera and said digital camera," as discussed above with respect to the rejection of claim 8. Since neither Shiota, Ueda, nor Kubo "identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera," they cannot determine, "whether a transfer service is to be charged for the preserving using the ID data read, wherein the transfer service is charged when the ID data read does not match an ID corresponding to the digital camera," as recited in claim 16, either. Claim 16 is submitted to be allowable, for at least those reasons discussed above with respect to claim 8. Withdrawal of the rejection of claim 16 is earnestly solicited.

Claim 17 depends from claim 16 and adds additional distinguishing elements. Claim 17, for example, recites:

> Identifying a type of the digital camera by reading information pre-stored in at least one of the memory of the digital camera and the digital camera.

Neither Shiota, Ueda, nor Kubo identify, "a type of the digital camera by reading information pre-stored in at least one of the memory of the digital camera and the digital camera," as discussed above with respect to the rejection of claim 8. Claim 17 is thus also submitted to be allowable, for at least those reasons discussed above with respect to claim 8. Withdrawal of the rejection of claim 17 is earnestly solicited.

Claim 18:

> Claim 18 recites:

> Selects a reading method software corresponding to the ID data of the digital camera from a plural reading method software that are stored.

Neither Shiota, Ueda, nor Kubo "identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera," as discussed above with respect to the rejection of claim 8. Since neither Shiota, Ueda, nor Kubo "identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera," they cannot select, "a reading method software corresponding to the ID data of the digital camera from a plural reading method software that are stored," as recited in claim 18, either.

> Claim 18 recites further:

> Reads the photographed image data recorded in the memory of the digital camera using the selected reading method software.

Neither Shiota, Ueda, nor Kubo reads, "the photographed image data recorded in the memory of the digital camera using the selected reading method software," as discussed above with respect to the rejection of claim 8.

Claim 18 has also been amended further to clarify that the reading method software "is for reading the photographed image data recorded in said memory of said digital camera to a memory of said controller." Shiota neither teaches, discloses, nor suggests reading method software that "is for reading the photographed image data recorded in said memory of said digital camera to a memory of said controller," as recited in claim 18. Claim 18 is submitted to be allowable, for at least those reasons discussed above with respect to claim 8. Withdrawal of the rejection of claim 18 is earnestly solicited.

Claims 19 and 20:

Claim 19 recites:

Determines whether a transfer service is to be charged for the preserving using the ID data read.

Neither Shiota, Ueda, nor Kubo "identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera," as discussed above with respect to the rejection of claim 8. Since neither Shiota, Ueda, nor Kubo "identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera," they cannot determine, "whether a transfer service is to be charged for the preserving using the ID data read," as recited in claim 19, either. Claim 19 is submitted to be allowable, for at least those reasons discussed above with respect to claim 8. Withdrawal of the rejection of claim 19 is earnestly solicited.

Claim 20 depends from claim 19 and adds additional distinguishing elements. Claim 20, for example, recites:

Identifies a type of the digital camera by reading information pre-stored in at least one of the memory of the digital camera and the digital camera.

Neither Shiota, Ueda, nor Kubo identify, "a type of the digital camera by reading information pre-stored in at least one of the memory of the digital camera and the digital camera," as discussed above with respect to the rejection of claim 8. Claim 20 is thus also submitted to be allowable, for at least those reasons discussed above with respect to claim 8. Withdrawal of the rejection of claim 20 is earnestly solicited.

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<u>Claim 21:</u>

Claim 21 recites:

Identifies a type of the digital camera by reading information pre-stored in at least one of the memory of the digital camera and the digital camera.

Neither Shiota, Ueda, nor Kubo, "identifies a type of the digital camera by reading information pre-stored in at least one of the memory of the digital camera and the digital camera," as discussed above with respect to the rejection of claim 8.

Claim 21 recites further:

Selects a reading method software corresponding to the identified type of the digital camera from a plural reading method software that are stored.

Neither Shiota, Ueda, nor Kubo select, "a reading method software corresponding to the identified type of the digital camera from a plural reading method software that are stored," as discussed above with respect to the rejection of claim 8.

Finally, claim 21 recites:

Reads the photographed image data recorded in the memory of the digital camera using the selected reading method software corresponding to the identified type of the digital camera.

Neither Shiota, Ueda, nor Kubo read, "the photographed image data recorded in the memory of the digital camera using the selected reading method software corresponding to the identified type of the digital camera," as discussed above with respect to the rejection of claim 8.

Claim 21 has also been amended further to clarify that the reading method software "is for reading the photographed image data recorded in said memory of said digital camera to a memory of said controller." Shiota neither teaches, discloses, nor suggests reading method software that "is for reading the photographed image data recorded in said memory of said digital camera to a memory of said controller," as recited in claim 21. Claim 21 is submitted to be allowable, for at least those reasons discussed above with respect to claim 8. Withdrawal of the rejection of claim 21 is earnestly solicited.

New Claim 22:

Claim 22 depends from claim 21 and adds additional distinguishing elements. Claim 22, for example, recites:

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Wherein said controller stores said plural reading method software.

None of the cited references show "wherein said controller stores said plural reading method software" in addition to the other elements of claim 21. Claim 22 is thus believed to be allowable.

Conclusion:

Accordingly, in view of the reasons given above, it is submitted that all of claims 8 and 15-22 are allowable over the cited references. Allowance of all claims 8 and 15-22 and of this entire application is therefore respectfully requested.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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